THE HONOUABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 16423 of 2007

Date:02-08-2007

Between:

Rahmathunnisa Begum .. **PETITIONER**

AND

The Commissioner of Police, Hyderabad and three others

..

RESPONDENTS

ORDER:

The petitioner seeks a writ of mandamus to declare the respondents in harassing the petitioner by forcibly taking her to the police station of the 4th respondent along with other family members and relatives of the petitioner and thereby threatening her to implicate in false criminal cases without having jurisdiction, as illegal and arbitrary.

It is the case of the petitioner that one Syed.Jaffar Hussain son of the petitioner is an accused No.16 in Crime No. 56 of 2007 of CCS, DD, Hyderabad (Banjara Hills Crime No.464 of 2007) and as the said accused was said to have been found absconding, the 4th respondent is forcibly taking the petitioner and their family members to the police station of the 4th respondent and threatening them to implicate in some other criminal cases and the 4th respondent is interfering with the personal life and liberty of the petitioner.

That being so, the petitioner could have made a representation before superior police officers i.e. Deputy Commissioner of Police, CCS, Hyderabad or the Commissioner of Police, Hyderabad about the alleged illegal action/interference by the 4th respondent.

I am of the opinion that merely because the son of the petitioner is an accused in the said criminal case, the petitioner cannot be harassed by the police and cannot interfere with her personal life and liberty. But, before making a representation or complaint about the alleged illegal act of the police, no writ of mandamus can be issued and hence the writ petition is liable to be dismissed.

Accordingly, the writ petition is dismissed. No costs.

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V.ESWARAIAH, J.

Date:02.08.2007
ccm